

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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YVETTE GRIFFIN, individually and on behalf of all
others similarly situated,

NOTICE OF MOTION

Plaintiff,

-against-

Case No.:

THE BALTIMORE LIFE INSURANCE COMPANY,

Defendant.

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THE BALTIMORE LIFE INSURANCE COMPANY

Third-Party Plaintiff,

-against-

Q3M INSURANCE SOLUTIONS, LLC, ROBERT
HUDSON, and ARTREANUA CARR

Third-Party Defendants.

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PLEASE TAKE NOTICE, that, upon the Declaration of Sydney A. Fetten, Esq., dated July 1, 2021, and the exhibits annexed thereto, the Declaration of Megan T. Mantzavinos, the Memorandum of Law in Support, and all prior pleadings and proceedings had herein, Third-Party Defendants Q3M Insurance Solutions, LLC, Robert Hudson, and Artreanua Carr (collectively “Q3M”), through undersigned counsel, and pursuant to Fed. R. Civ. P. 37 and Fed. R. Civ. P. 45, will move this Honorable Court (1) to enter an Order Compelling non-party Fluent, Inc. to comply with Third-Party Defendants’ Subpoena to Fluent, Inc., dated April 28, 2021, and, (2) in the event Fluent fails to fully respond to Third-Party Defendants’ Subpoena within fourteen (14) days of the issuance of this Court’s Order compelling it to do so, an Order holding Fluent in contempt pursuant to Fed. R. Civ. P. 45(g), and for such other and further relief as may be just, proper, and equitable.

Third-Party Defendants' moving papers will be filed and served simultaneously to the instant Notice.

Respectfully Submitted,

/s/ Sydney A. Fetten

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**MARKS, O'NEILL, O'BRIEN,
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MEMORANDUM ENDORSEMENT

No opposition having been filed to this motion, the motion to compel Fluent, Inc. to comply with Third-Party Defendants' April 28, 2021 subpoena (Docket # 2) is granted. If not already produced, the documents responsive to the subpoena shall be produced on or before September 3, 2021. The Clerk is directed to close this case. Notwithstanding the closing of the case, the Court remains available to enforce this order through appropriate means if necessary.

SO ORDERED.



GABRIEL W. GORENSTEIN
United States Magistrate Judge

August 27, 2021